

REMARKS

In accordance with the foregoing, claim 1 has been amended. Claims 12-13 are cancelled. Claims 1-11 and 14-15 are pending and under consideration.

The rejections under 35 U.S.C. §§102 and 103 are respectfully traversed.

Independent claim 1 recites lower end portions of the head receiving portion and the sweat band are wholly pressed and stitched together with a stretchable yarn, along the lower edge of the crown. Present FIG. 5 illustrates these features, for example. In contrast, Fig. 3 of Whang teaches stitching 30. Since the stitching 30 is only visible at the inner circumference of the hat, the stitching 30 does not wholly press the head receiving portion and the sweatband.

Independent claim 1 also recites a shape tape attached to the head receiving portion along a lower edge of the head receiving portion. The Examiner relies upon FIGS. 1 and 9 of Higgs. However, Fig. 1 illustrates a lowermost edge 10 of the crown 2 and a toweling fabric 12 which is sewn. Higgs, p. 9, ln. 26. Fig. 9 further illustrates tacks 27. No shape tape as claimed is taught.

The remaining references do not overcome these deficiencies.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

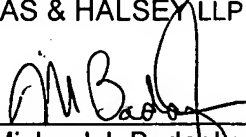
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 5-24-06

By: 
Michael J. Badagliacca
Registration No. 39,099

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501